

Docket No. 0010-1070-0

IN RE APPLICATION OF: Vitaliy Arkadyevich LIVSHITS et al.

SERIAL NO: 09/466,935

FILED: DECEMBER 20, 1999

FOR: NOVEL THREONINE RESISTANCE GENE

Corres. and M  
**BOX AF**

AF/1652  
115  
"RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1652"

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FEB 06 2002

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ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

3  
SERIAL NO.

Transmitted herewith is an Amendment and Request for Reconsideration w/Marked-Up Copy in the above-identified application.

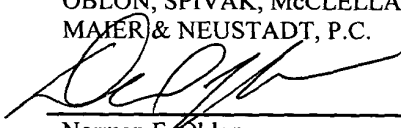
- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Copy of U.S. Patent No. 5,272,071

The Fee has been calculated as shown below:

| CLAIMS      | CLAIMS<br>REMAINING |  | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID | NO. EXTRA<br>CLAIMS | RATE      | CALCULATIONS |
|-------------|---------------------|--|---|---------------------|-----------|--------------|
| TOTAL       | 26                  | MINUS  | 20                                      | 6                   | × \$18 =  | \$108.00     |
| INDEPENDENT | 5                   | MINUS  | 3                                       | 2                   | × \$80 =  | \$160.00     |
|             |                     | <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS                   |   |                     | + \$270 = | \$0.00       |
|             |                     | TOTAL OF ABOVE CALCULATIONS  |   |                     |           | \$268.00     |
|             |                     | <input type="checkbox"/> Reduction by 50% for filing by Small Entity |   |                     |           | \$0.00       |
|             |                     | <input type="checkbox"/> Recordation of Assignment                   |   |                     | + \$40 =  | \$0.00       |
|             |                     | TOTAL  |   |                     |           | \$268.00     |

- ☒ A check in the amount of **\$268.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Norman F. Oblon  
Registration No. 24,618

Daniel J. Pereira, Ph.D.  
Registration No. 45,518



**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/00)



DOCKET NO. 001000001070-0

"RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 1652"

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(NE)  
DMT  
2-8-02

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

Vitaliy Arkadyevich LIVSHITS et al. : GROUP ART UNIT: 1652

SERIAL NO: 09/466,935 : EXAMINER: D. STEADMAN

FILED: DECEMBER 20, 1999 :

FOR: NOVEL THREONINE RESISTANCE GENE

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AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated November 2, 2001, Applicants respectfully request reconsideration of the above-identified application in view of the following

IN THE CLAIMS

Please amend the claims as shown in the attached marked-up copy to read as follows:

--11. (Amended) An isolated bacterium belonging to the genus *Escherichia*, wherein L-threonine resistance of said bacterium is modified to increase an activity of a protein which makes the bacterium harboring the protein L-threonine-resistant, and wherein the protein comprises the amino acid sequence shown in SEQ ID NO: 4.

12. (Amended) The bacterium according to claim 11, wherein said bacterium is further modified to increase an activity of a protein which makes the bacterium harboring the protein L-homoserine-resistant, and wherein the protein comprises the amino acid sequence shown in SEQ ID NO: 2.

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01 FC:103 100.00 CP  
02 FC:102 100.00 CP